

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 039386-1898

RCE
Zhu

Applicant: Jennifer J. HILLMAN et al.
Title: HUMAN APOPTOSIS ASSOCIATED PROTEINS
Appl. No.: 09/471,749
Filing Date: 12/23/1999
Examiner: Alana M. Harris
Art Unit: 1642

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. § 1.114:** (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on ____.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

☐ Other ____.

b. Enclosed are:

- ☒ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of ____ listed reference(s).
- ☐ Other .

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	9	- 20	= 0	x \$18.00	= \$0.00
Independents	1	- 3	= 0	x \$88.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$300.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

- ☒ Applicants hereby petition for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$430.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the third month:	\$980.00	\$980.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,530.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,080.00	\$0.00
EXTENSION FEE SUBTOTAL:		\$980.00
EXTENSION FEE ALREADY PAID: -		\$0.00
EXTENSION FEE TOTAL		\$980.00
CLAIMS AND EXTENSION FEE TOTAL:		\$1,770.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
TOTAL FEE:		\$1,770.00

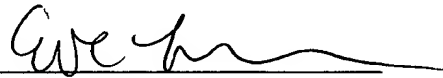
- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$2,870.00. A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$1,770.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

October 12, 2004
Date

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6142
Facsimile: (202) 672-5399


Eve L. Frank
Attorney for Applicant
Registration No. 46,785